

REMARKS

Claims 1-2 and 11-20 are pending.

The Examiner asserts that the present claims lack unity of invention. The Examiner requires Applicants to elect as between the following Groups:

Species A1: configuration (1), and

Species A2: configuration (2).

**For the purpose of examination of the present application, Applicants elect, with traverse, Species A2, configuration (2).**

Claims 1-2 and 11-14 are readable thereon.

According to Rule 13.2, the requirement for unity of invention “shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression ‘special technical features’ shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.”

Applicants respectfully submit that the requirement for the “special technical feature” is the subject matter which is common to all claims and is described in the 1<sup>st</sup> twelve lines of claim 1. This subject matter amounts to a contribution over the prior art. As such, there is unity of invention and rejoinder of Species A1 and Species A2 is respectfully requested.

Furthermore, Applicants are not aware of instructions in the MPEP that the determination of a special technical feature in the claims is solely made before prosecution begins and that the special technical feature cannot be added during prosecution by amendment. Should Applicants amend claims to recite features not described in the prior art references, then these features should be considered when considering unity of invention throughout prosecution.

Applicants respectfully bring to the Examiner's attention that configuration (2) in claim 1 is not exactly the same as configuration (2) in claim 2. The following is a comparison between configuration (2) in claim 1 and configuration (2) in claim 2:

*(2) optically anisotropic member (A) and optically anisotropic member (B) are disposed between the polarizer at the output side and the liquid crystal cell, the absorption axis of the polarizer at the incidentoutput side and the in-plane slow axis of the liquid crystal of the liquid crystal cell under application of no voltage are disposed at relative positions parallelperpendicular to each other, and the in-plane slow axis of optically anisotropic member (A) and the in-plane slow axis of optically anisotropic member (B) are disposed at relative positions approximately parallel to each other, and the in-plane slow axis of optically anisotropic member (B) and the in-plane slow axis of the liquid crystal of the liquid crystal cell under application of no voltage are disposed at relative positions approximately parallelperpendicular to each other, and wherein*

*an in-plane retardation  $R_e(A)$ , a retardation in the direction of the thickness  $R_{th}(A)$  of optically anisotropic member (A), and an in-plane retardation  $R_e(B)$ , a retardation in the direction of the thickness  $R_{th}(B)$  of optically anisotropic member (B) satisfy the following formulae:*

$$70 \leq R_e(A) \leq 120,$$

$$-65 \leq R_{th}(A) \leq 25,$$

$$50 \leq R_e(A) \leq 150,$$

$$-90 \leq R_{th}(A) \leq -15,$$

$$40 \leq R_e(B) \leq 110 \leq 150 \text{ and}$$

$$25 \leq R_{th}(B) \leq 70 \leq 75,$$

wherein

$$R_e(A) = (n_{xA} - n_{yA}) \times d_A, R_e(B) = (n_{xB} - n_{yB}) \times d_B,$$

$$R_{th}(A) = [(n_{xA} + n_{yA})/2 - n_{zA}] \times d_A, R_{th}(B) = [(n_{xB} + n_{yB})/2 - n_{zB}] \times d_B$$

*d<sub>A</sub> and d<sub>B</sub> representing thicknesses of optically anisotropic member (A) and (B), respectively, and the units of retardations in the formulae described above are expressed by nm.*

Should the Examiner require a further election of species as between configuration (2) in claim 1 and configuration (2) in claim 2, the Examiner is requested to contact Applicants' representative at the number given below.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Reg. No. 43,575, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: January 12, 2009

Respectfully submitted,

By   
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